

EXHIBIT

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF JOSEPH FALCO

I, JOSEPH FALCO, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present at the corner of West Street and Liberty Street when the terrorist attacks of the World Trade Center Towers occurred.

4. I was the chauffer of Engine 1 for the New York City Fire Department and was on duty on September 11, 2001. My unit was called to the area. I helped Engine 65 connect to a fire hydrant on the corner of West Street and Liberty Street next to the south pedestrian walkway. Within a few minutes of arriving on scene Tower Two collapsed.

5. The force of the air pressure during the collapse of Tower Two crushed me and blew me across West Street. The force rolled me and pushed me into, and up and over, the center divider of the West Side Highway. Two other firefighters found me with multiple injuries and helped me escape. During my escape Tower One collapsed showering me with debris. I was able to make it to the water and was put on a boat and taken to a hospital in New Jersey. In the course of the attack and my escape, I witnessed atrocities beyond the imagination of the average citizen.

6. As a result of these terrorist attacks on September 11, 2001, I suffered multiple injuries including a badly bruised head, asbestos and contamination inhalation, shoulder injuries, a bruised back later diagnosed as a fractured vertebrae, large hematoma to the left calf, fracture of the left patella, laceration to my lower left leg under my patella requiring sutures, a torn anterior cruciate ligament (ACL) and medial meniscus in both knees, sprain to the medial collateral ligament, and a posterior cruciate ligament (PCL) injury with an avulsion fracture to my left knee.

7. I sought medical attention for my injuries. I was taken by boat to the Jersey City Medical Center in New Jersey for treatment. After the collapse I had a sore throat, felt nauseated for weeks and had a choking cough. I spent two weeks in a knee immobilizer and four weeks in a full leg cast. On December 5, 2001, I had an ACL reconstruction surgery on my left knee. I had physical therapy for my knees and left shoulder three times a week. I am still undergoing treatment today and due to my injuries I have had to have both knee joints replaced. Due to the significant osteoarthritic changes in my left shoulder I will need shoulder replacement surgery in the near future. Further, I am currently receiving epidural injections to control pain in my spine that are becoming less effective and will likely require spinal surgery. Attached as Exhibit B to this Declaration is a true and correct copy of my medical records related to the treatment that I received following the September 11, 2001 terrorist attacks.


8. Due to the injuries I received I was deemed totally disabled, unable to return to work and was forced to retire.

9. I suffered, and continue to suffer, severe emotional distress as a result of the above terrorist attacks. I suffered and continue to suffer from anxiety and bouts of depression due to the traumatic events of these terrorist attacks.

10. I previously pursued a claim (Claim Number 212-003997) through the September 11th Victim Compensation Fund specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.

EXECUTED on this 7th day of January 2020.



JOSEPH FALCO

**EXHIBITS
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UNDER SEAL
(ECF No.
5716)**